

**U.S. District Court
Northern District of Ohio (Cleveland)
CIVIL DOCKET FOR CASE #: 1:06-cv-01478-PAG**

Shearson v. United States Department of Homeland Security et al
Assigned to: Judge Patricia A. Gaughan
Case in other court: 6th Circuit, 08-04582
Cause: 05:552 Freedom of Information Act

Date Filed: 06/15/2006
Date Terminated: 07/18/2013
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

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V.

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Date Filed	#	Docket Text
06/15/2006	<u>1</u>	Complaint against United States Department of Homeland Security & US Customs and Border Protection (Filing fee 350 receipt number 14660001892.) Filed by Julia A. Shearson. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10# <u>11</u> Exhibit 11# <u>12</u> Exhibit 12# <u>13</u> Exhibit 13# <u>14</u> Exhibit 14# <u>15</u> Exhibit 15# <u>16</u> Exhibit 16# <u>17</u> Exhibit 17# <u>18</u> Exhibit 18# <u>19</u> Exhibit 19# <u>20</u> Civil Cover Sheet)(C, BA) (Entered: 06/16/2006)
06/15/2006		Random Assignment of Magistrate Judge Baughman, pursuant to Local Rule 3.1. (C, BA) (Entered: 06/16/2006)
06/16/2006	<u>2</u>	Praecipe for issuance of summons filed by Julia A. Shearson. (3 Summons issued to plaintiff on 6/16/06) (C, BA) (Entered: 06/16/2006)
06/16/2006	<u>3</u>	Return of Service Executed upon defendant thru U.S. attorney by personal service on 6/16/06 filed by Julia A. Shearson (C, K A) (Entered: 06/20/2006)

07/05/2006	<u>4</u>	Praecipe for re-issuance of summons filed by Julia A. Shearson. (B, B) (Entered: 07/06/2006)
07/05/2006		Summons re-issued to plaintiff for service upon defendants. (B, B) (Entered: 07/06/2006)
07/05/2006	<u>5</u>	Return of Service Executed upon defendant by personal service through U.S. Attorney on 7/5/2006. Related document(s) <u>1</u> . (B, B) (Entered: 07/06/2006)
07/06/2006	<u>6</u>	Case Management Conference Scheduling Order with case management conference set on 8/18/2006 at 09:45 AM to be held telephonically by Hon. Patricia A. Gaughan. Signed by Judge Patricia A. Gaughan on 7/06/06. (D, MB) (Entered: 07/06/2006)
07/07/2006	<u>7</u>	Attorney Appearance by Lori W. Laisure filed by on behalf of United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Letter to Julia Shearson) (Laisure, Lori) (Entered: 07/07/2006)
08/09/2006	<u>8</u>	Return of Service Executed upon attorney general by certified mail on 6/28/06 and 7/24/06 filed by Julia A. Shearson (C, K A) (Entered: 08/09/2006)
08/09/2006	<u>9</u>	Return of Service Executed upon Department of Homeland Security by certified mail on 7/10/06 and 7/13/06 filed by Julia A. Shearson. (C, K A) (Entered: 08/09/2006)
08/09/2006	<u>10</u>	Return of Service Executed upon defendants thru U.S. attorney by certified mail on 7/12/06 filed by Julia A. Shearson (C, K A) (Entered: 08/09/2006)
08/14/2006	<u>11</u>	Motion for extension of time until August 25, 2006, to answer filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>1</u> . (Laisure, Lori) (Entered: 08/14/2006)
08/16/2006		Order [non-document]: Defendants' Motion for Extension of Time to Answer or otherwise respond is granted to 8/25/06. Entered by Judge Patricia A. Gaughan on 8/15/06. <u>11</u> (L-C, S) Modified text of docket entry on 8/17/2006 (B, B). (Entered: 08/16/2006)
08/17/2006	<u>12</u>	Report of Parties' Planning Meeting filed by all parties. (Attachments: # <u>1</u> Exhibit A – Discovery Sought by Plaintiff) (Laisure, Lori) (Entered: 08/17/2006)
08/22/2006	<u>13</u>	Minutes/Order: Case Management Conference was held on 8/18/06. Discovery is statyed pending ruling on a Motion for Summary Judgment. Amended Complaint is to be filed by August 23, 2006. The Vaughn Index will be provided to Plaintiff by September 23, 2006. Motion for Summary Judgment is due October 1, 2006. Status Conference, by telephone, is set 12/11/2006 at 09:00 AM. Signed by Judge Patricia A. Gaughan on 8/18/06. (L-C, S) (Entered: 08/22/2006)
08/23/2006	<u>14</u>	Amended complaint against United States Department of Homeland Security, US Customs and Border Protection. Filed by Julia A. Shearson. (Attachments: # <u>1</u> (Complete 59 pages of Exhibits 1 thru 24 on file in Clerk's Office)(E, P) (Entered: 08/23/2006)
09/22/2006	<u>15</u>	<i>Defendants' Answer to Amended Complaint (Related Doc # <u>14</u>)</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 09/22/2006)
09/22/2006	<u>16</u>	<i>Notice of Vaughn Index</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A– Vaughn Index) (Laisure, Lori) (Entered: 09/22/2006)
09/27/2006	<u>17</u>	Motion for extension of time to file Motion for Summary Judgment until October 6, 2006, filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) Modified text of docket entry pursuant to telephone conversation with attorney on 9/27/2006 (B, B). (Entered: 09/27/2006)
09/29/2006		Order [non-document]: Defendants' Motion for extension of time to file their Motion for Summary Judgment is granted to October 6, 2006. <u>17</u> Approved by Judge Patricia A. Gaughan on 9/28/06.(L-C, S) (Entered: 09/29/2006)

10/06/2006	<u>18</u>	Motion for summary judgment filed by all defendants. (Attachments: # <u>1</u> Brief in Support # <u>2</u> Exhibit A Declaration of Joseph Wilson# <u>3</u> Exhibit B Declaration of Dorothy Pullo# <u>4</u> Exhibit C Agency Regulations# <u>5</u> Attachment Blazy v. Tenet# <u>6</u> Attachment Vondette v. FBI)(Laisure, Lori) (Entered: 10/06/2006)
11/03/2006	<u>19</u>	Motion for extension of time until 11/27/06 to respond to defendants motion for summary judgment filed by Julia A. Shearson. (E, P) (Entered: 11/06/2006)
11/08/2006		Order [non-document]: Plaintiff's Motion for extension of time to respond to defendants motion for summary judgment is granted to 11/27/06. <u>19</u> Signed by Judge Patricia A. Gaughan on 11/8/06.(L-C, S) (Entered: 11/08/2006)
11/27/2006	<u>20</u>	Motion for additional extension of time until 12/11/06 to respond to defendant's motion for summary judgment filed by Julia A. Shearson. (C, B) (Entered: 11/27/2006)
11/30/2006		Order [non-document]: Plaintiff's Motion for additional extension of time to respond to defendant's motion for summary judgment is Granted to 12/11/06. The Status conference of 12/11/06 is continued to 1/31/07 at 9:00 AM and will be conducted by telephone with the Court initiating the call. <u>20</u> Approved by Judge Patricia A. Gaughan on 11/29/06.(L-C, S) (Entered: 11/30/2006)
12/11/2006	<u>21</u>	Motion for extension of time until 12/15/06 to respond to motion for summary judgment filed by Julia A. Shearson. (C, K A) (Entered: 12/12/2006)
12/14/2006		Order [non-document]: Plaintiff's Motion for an Additional Extension of Time to Respond to Defendant's Motion for Summary Judgment is granted to 12/15/06. <u>21</u> Approved by Judge Patricia A. Gaughan on 12/12/06.(L-C, S) (Entered: 12/14/2006)
12/15/2006	<u>22</u>	Unopposed Motion for an Additional Extension of Time until December 21, 2006 to Respond to Defendant's Motion for Summary Judgment filed by Julia A. Shearson. (R, Sh) (Entered: 12/18/2006)
12/18/2006		Order [non-document]: Plaintiff's Unopposed Motion for an Additional Extension of Time to Respond to Defendant's Motion for Summary Judgment is granted to December 21, 2006. THERE WILL BE NO FURTHER EXTENSIONS. <u>22</u> Approved by Judge Patricia A. Gaughan on 12/18/06.(L-C, S) (Entered: 12/18/2006)
12/21/2006	<u>23</u>	Memorandum in Opposition to Motion for summary judgment and plaintiff's request for a revised Vaugh Index, In Camera Review or Discovery filed by Julia A. Shearson. Related document(s) <u>18</u> . (Attachments: # <u>1</u> Table of Contents# <u>2</u> Exhibits 1 thru 11, 1/2 inch thick document on file in Clerk's Office)(E, P) Modified text on 12/22/2006 (E, P). (Entered: 12/22/2006)
12/26/2006	<u>24</u>	Minute/Order: In light of the briefing extension, status conference of 1/31/07 is continued to 3/20/07 at 9:00 a.m. and will be held telephonically by Hon. Patricia A. Gaughan. Signed by Judge Patricia A. Gaughan on 12/22/06. (D, MB) (Entered: 12/26/2006)
12/29/2006	<u>25</u>	Motion for extension of time until January 30, 2007, to Reply to Opposition to Motion for Summary Judgment filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>23</u> , <u>18</u> . (Laisure, Lori) (Entered: 12/29/2006)
01/04/2007		Order [non-document]: Defendants Motion for Extension of Time in which to file their Reply to Opposition is granted to 1/30/07. <u>25</u> Approved by Judge Patricia A. Gaughan on 1/3/07.(L-C, S) (Entered: 01/04/2007)
01/10/2007	<u>26</u>	Return of Service Executed upon US Customs and Border Protection by certified mail with domestic return receipts on 7/10/06 filed by Julia A. Shearson (E, P) Modified text on 1/22/2007 (C, Br). (Entered: 01/11/2007)
01/30/2007	<u>27</u>	Motion to strike <i>Plaintiff's Opposition to Summary Judgment and Reply Memorandum</i> filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>23</u> , <u>18</u> . (Attachments: # <u>1</u> Memorandum In Support# <u>2</u> Neuhausser v. U.S. Dept. of Justice# <u>3</u> Askew v. USA# <u>4</u> Shafizadeh v. BATF# <u>5</u> Leebowe v. U.S. Dept. of Justice# <u>6</u> Triplett v.

		Attorney General)(Laisure, Lori) (Entered: 01/30/2007)
02/12/2007	<u>28</u>	Order: This Court has reviewed defendants motion for summary judgment and all briefs related to that motion. In this case, plaintiff claims that the government improperly withheld documents in response to her Freedom of Information Act request. In support of their motion, defendants argue that the withheld material properly falls within certain statutory exemptions. Defendants offer affidavits purporting to detail the applicability of the statutory exemptions. In addition, defendants provide a Vaughn index. Plaintiff argues that the affidavits and index are not sufficiently detailed to enable the Court to properly conduct a de novo review of the applicability of the exemptions and the segregability of the information contained in the responsive documents. This Court agrees. Accordingly, defendants are hereby ORDERED to produce unredacted copies of the documents identified on the Vaughn index to chambers for an in camera review, no later than February 15, 2007, at noon. Signed by Judge Patricia A. Gaughan on 2/12/07. (LC,S) (Entered: 02/12/2007)
02/13/2007	<u>29</u>	Notice of Service of Notice of Defendants' Production of Unredacted Documents for In Camera Inspection by the Court filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>28</u> .(Laisure, Lori) (Entered: 02/13/2007)
02/13/2007	<u>30</u>	Motion for leave to exceed page number limits and for leave to conduct discovery; and opposition to defendants' motion to strike filed by Julia A. Shearson. Related document(s) <u>27</u> . (Attachments: # <u>1</u> Memorandum in Support)(C,KA) (Entered: 02/16/2007)
02/15/2007	<u>31</u>	Motion for leave to respond to reply to response to motion for summary judgment filed by Julia A. Shearson. (C,KA) (Entered: 02/16/2007)
03/09/2007	<u>32</u>	Memorandum of Opinion and Order: Defendant' Summary Judgment motion is GRANTED in PART and DENIED in PART. The CBP is entitled to summary judgment on plaintiff's claims arising under the Privacy Act. The motion is DENIED to the extent it seeks summary judgment on the FOIA claims. The Court finds that CBP must disclose all materials provided to the Court for an in camera review, with the exception of the material expressly identified in this Opinion. Any such material may be redacted. The DHS's motion for summary judgment is denied in its entirety. In addition, the Court orders DHS to conduct a search of its records and respond to plaintiffs FOIA request. Signed by Judge Patricia A. Gaughan on 3/7/07.(Related Doc # <u>18</u>)(LC,S) (Entered: 03/09/2007)
03/09/2007		Order [non-document]: Defendants' Motion to Strike Plaintiff's Opposition to Summary Judgment and Reply Memorandum is DENIED. Approved by Judge Patricia A. Gaughan on 3/7/07.(Related Doc # <u>27</u>)(LC,S) (Entered: 03/09/2007)
03/09/2007		Order [non-document]: Plaintiff's Motion for Leave to Exceed is unopposed and granted. Motion for Leave to Conduct Limited Discovery is denied. The Court did not rely on these documents in rendering its decision. Approved by Judge Patricia A. Gaughan on 3/7/07. (Related Doc # <u>30</u>)(LC,S) (Entered: 03/09/2007)
03/09/2007		Order [non-document]: Plaintiff's Motion for Leave to Respond to Defendants' Reply to Plaintiff's Opposition to Summary Judgment is DENIED. Approved by Judge Patricia A. Gaughan on 3/7/07. (Related Doc # <u>31</u>)(LC,S) (Entered: 03/09/2007)
03/19/2007	<u>33</u>	Motion for extension of time until April 6, 2007, to File Motion for Reconsideration filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>32</u> . (Laisure, Lori) (Entered: 03/19/2007)
03/21/2007	<u>34</u>	Minutes/Order: Status Conference was held. Pursuant to this Court's Order of March 7, 2007, documents are to be turned over on or before May 31, 2007. Signed by Judge Patricia A. Gaughan on 3/20/07. (LC,S) (Entered: 03/21/2007)
03/21/2007		Order [non-document]: Defendants' Motion for extension of time to File Motion for Reconsideration is granted to 4/6/07. Approved by Judge Patricia A. Gaughan on 3/20/07. <u>33</u> (LC,S) (Entered: 03/21/2007)

04/05/2007	<u>35</u>	Motion for extension of time until April 13, 2007, to File Motion for Reconsideration filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>32</u> . (Laisure, Lori) (Entered: 04/05/2007)
04/06/2007	<u>36</u>	Opposition to <u>35</u> Motion for extension of time until April 13, 2007, to File Motion for Reconsideration filed by Julia A. Shearson. (E,P) (Entered: 04/09/2007)
04/12/2007	<u>37</u>	Motion for an Order Permitting the Filing of Declaration(s) In Camera, Ex Parte filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 04/12/2007)
04/13/2007	<u>38</u>	Motion for Order to Exceed Page Limit filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 04/13/2007)
04/13/2007	<u>39</u>	Motion for reconsideration of the Court's Orders of March 7 & 31, 2007, filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>32</u> . (Attachments: # <u>1</u> Memorandum In Support# <u>2</u> Exhibit A – Jacksta Declaration# <u>3</u> Exhibit B – Papoi Declaration# <u>4</u> Exhibit C – Madsen Declaration)(Laisure, Lori) (Entered: 04/13/2007)
04/13/2007	<u>40</u>	Opposition to <u>37</u> defendants' Motion for an Order Permitting the Filing of Declaration(s) In Camera, Ex Parte filed by Julia A. Shearson. (E,P) (Entered: 04/16/2007)
04/17/2007		Order [non-document]: Defendants Motion for Extension of Time in which to file their Motion for Reconsideration is granted. <u>35</u> Approved by Judge Patricia A. Gaughan on 4/16/07. (NUNC PRO TUNC ORDER AS OF AND FOR 4/13/07)(LC,S) (Entered: 04/17/2007)
04/17/2007		Order [non-document]: Defendants Motion to Exceed Page Limit is granted. Approved by Judge Patricia A. Gaughan on 4/17/07. (Related Doc # <u>38</u>)(LC,S) (Entered: 04/17/2007)
04/20/2007	<u>41</u>	Order: Currently pending before this Court is Defendants' Motion for an Order Permitting the Filing of Declaration(s) In Camera, Ex Parte (Doc. <u>37</u>)("Motion for Ex Parte Filing"). In order to ascertain whether the declarations do in fact contain information so sensitive that plaintiff should be denied access, the Court will review the materials in camera. After review, the Court will issue a ruling on the Motion for Ex Parte Filing. Plaintiff's opposition to the motion for reconsideration will be due fourteen days after the Court rules on the Motion for Ex Parte Filing. Defendants are to submit unredacted versions of the declarations and the motion for reconsideration no later than April 24, 2007. Signed by Judge Patricia A. Gaughan on 4/20/07.(LC,S) (Entered: 04/20/2007)
04/24/2007	<u>42</u>	Notice of Filing of Amended Memorandum in Support of Defendants' Motion for Reconsideration filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 04/24/2007)
04/24/2007	<u>43</u>	Amended Memorandum In Support of <u>39</u> Motion for reconsideration of the Court's Orders of March 7 & 31, 2007, filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Revised Jacksta Declaration# <u>2</u> Exhibit B – Papoi Declaration# <u>3</u> Exhibit C – Madsen Declaration)(Laisure, Lori) (Entered: 04/24/2007)
04/25/2007	<u>44</u>	Notice of Defendants' Production of Unredacted Documents for In Camera, Ex Parte Inspection by the Court filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>43</u> , <u>42</u> .(Laisure, Lori) Modified wording of text on 4/26/2007 (C, Br). (Entered: 04/25/2007)
05/01/2007	<u>45</u>	Motion for leave to amend motion to compel redlined version and memorandum in opposition to defendants' motion for order permitting the filing declarations in camera, ex parte filed by Julia A. Shearson. (Attachments: # <u>1</u> Memorandum in Opposition# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2# <u>4</u> Exhibit 3# <u>5</u> Exhibit 4# <u>6</u> Exhibit 5)(E,P) (Entered: 05/02/2007)

05/01/2007	<u>46</u>	Motion to compel production of revised Vaughn index and/or production of responsive CBP Records filed by Julia A. Shearson. (E,P) (Entered: 05/02/2007)
05/01/2007	<u>47</u>	Memorandum In Support of <u>46</u> Motion to compel production of revised Vaughn index and/or the production of responsive CBP records filed by Julia A. Shearson. (E,P) (Entered: 05/02/2007)
05/01/2007	<u>48</u>	FILING ERROR, FILED IN WRONG CASE: Transcript of Proceedings. (E,P) Modified text, refiled in correct case on 5/2/2007 (E, P). (Entered: 05/02/2007)
05/07/2007	<u>49</u>	Attorney Appearance by Lisa A. Olson filed by on behalf of United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 05/07/2007)
05/17/2007	<u>50</u>	Opposition to <u>46</u> Motion to compel discovery <i>Opposition to plaintiff's motion to compel production of revised vaughn index and/or the production of responsive CBP records</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 05/17/2007)
05/17/2007	<u>51</u>	Opposition to <u>45</u> Motion for leave <i>to amend memorandum in opposition to the defendants' motion for order permitting the filing of declaration(s) in camera, ex parte, and to compel "redlined" version of defendants' amended brief</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 05/17/2007)
05/23/2007	<u>52</u>	Motion for leave to reply to defendants' opposition to plaintiff's motion to compel production of revised vaughn index and/or responsive CBP Records filed by Julia A. Shearson. (E,P). Modified text, incorrect document attached, attorney to seek copy for filing on 7/9/2007 (E, P). Modified text, corrected document added on 7/18/2007 (E, P). (Entered: 05/25/2007)
06/01/2007		Order [non-document]: Plaintiff's Motion for leave to reply to defendants' opposition to plaintiff's motion to compel production of revised vaughn index and/or responsive CBP Records is Granted. Approved by Judge Patricia A. Gaughan on 6/1/07.(Related Doc # <u>52</u>)(LC,S) (Entered: 06/01/2007)
06/01/2007	<u>53</u>	Memorandum of Opinion and Order: Defendants' Motion for Reconsideration of the Court's Orders of March 7 & 31, 2007 and Defendants' Motion for an Order Permitting the Filing of Declaration(s) In Camera, Ex Parte are DENIED. Signed by Judge Patricia A. Gaughan on 6/1/07. (Related Docs <u>37</u> , <u>39</u>) (LC,S) (Entered: 06/01/2007)
06/01/2007	<u>54</u>	Order: The Court GRANTS plaintiff's request for leave to file an amended brief in opposition to defendants' motion to file its brief and supporting declarations in camera and ex parte. The Court, however, DENIES plaintiff's request to subpoena documents produced by the government in other litigation. In addition, the Court DENIES AS MOOT plaintiff's request to compel production of a redlined version of defendants' amended memorandum in support of their motion for reconsideration. Plaintiff's motion to compel revised Vaughan index is denied at this time. Upon review of document three, plaintiff may refile a motion as she deems necessary. Signed by Judge Patricia A. Gaughan on 6/1/07. (Related Docs <u>45</u> , <u>46</u>) (LC,S) (Entered: 06/01/2007)
06/01/2007	<u>55</u>	Motion for leave to reply to defendant's opposition to plaintiff's motion for leave to amend memorandum in opposition to motion for order permitting the filing declarations in camera, exparte and to compel "redinlined" version of defendants' amended brief filed by Julia A. Shearson. (E,P) (Entered: 06/05/2007)
06/08/2007	<u>56</u>	Memorandum in Support of <i>Amended Motion for Reconsideration, Refiled Pursuant to June 1, 2007 Memorandum of Opinion and Order</i> filed by all defendants. Related document(s) <u>53</u> . (Olson, Lisa) Modified text/termed motion (wrong event used) 11/30/2007 (C,KA). (Entered: 06/08/2007)
06/08/2007	<u>57</u>	Motion for leave to file document #55 instanter: Request for status conference filed by Julia A. Shearson. (E,P) (Entered: 06/11/2007)
06/12/2007		Order [non-document]: Plaintiff's Motion for leave to reply to defendants' opposition to plaintiff's motion (1) for leave to amend memorandum in opposition

		to the Defendants' motion for order permitting the filing of declaration(s) in camera, ex parte and to (2) compel "redlined" version of defendants' amended brief is MOOT. Approved by Judge Patricia A. Gaughan on 6/12/07. (Related Doc # <u>55</u>) (LC,S) (Entered: 06/12/2007)
06/15/2007	<u>58</u>	Supplemental Motion for summary judgment filed by all defendants. (Attachments: # <u>1</u> Brief in Support Memorandum in Support of Defendants' Supplemental Motion for Summary Judgment# <u>2</u> Affidavit Third Declaration of Robert Jacksta)(Olson, Lisa) (Entered: 06/15/2007)
06/15/2007	<u>59</u>	Motion for Leave to Submit for In Camera, Ex Parte Review the Unredacted Memorandum in Support of Defendants' Supplemental Motion for Summary Judgment and Unredacted Third Jacksta Declaration filed by all defendants. Related document(s) <u>58</u> . (Olson, Lisa) (Entered: 06/15/2007)
06/18/2007	<u>60</u>	Notice of Having Provided Unredacted Documents for In Camera, Ex Parte Inspection by the Court filed by all defendants. Related document(s) <u>58</u> , <u>59</u> .(Olson, Lisa) (Entered: 06/18/2007)
06/21/2007	<u>61</u>	Attorney Appearance by Michael T. Honohan filed by on behalf of Julia A. Shearson. (Honohan, Michael) (Entered: 06/21/2007)
06/21/2007	<u>62</u>	Motion for extension of time to file Response to Amended Motion for Reconsideration until July 22, 2007 filed by Julia A. Shearson. Related document(s) <u>56</u> . (Honohan, Michael) Modified wording of text on 6/22/2007 (C, Br). (Entered: 06/21/2007)
06/21/2007	<u>63</u>	Attorney Appearance by Jeffrey M. Gamso filed by on behalf of Julia A. Shearson. (Gamso, Jeffrey) (Entered: 06/21/2007)
06/21/2007	<u>64</u>	Notice Of Appearance of David W. Leopold filed by Julia A. Shearson. (Leopold, David) Modified text on 6/22/2007 (C, Br). (Entered: 06/21/2007)
06/25/2007		Order [non-document]: Plaintiff's Motion for extension of time to Respond to Amended Motion for Reconsideration is granted to July 22, 2007. Approved by Judge Patricia A. Gaughan on 6/22/07.(LC,S) Related document <u>62</u> . Modified to add link on 6/28/2007 (C, Br). (Entered: 06/25/2007)
06/29/2007	<u>65</u>	Motion for extension of 06/29/07 filed by Julia A. Shearson. (Honohan, Michael) FILED IN ERROR, REFILED AS DOCUMENT <u>69</u> . Modified on 7/2/2007 (C, Br). (Entered: 06/29/2007)
06/29/2007	<u>66</u>	Motion for Compel Preparation of Supplemental Vaughn Index filed by Julia A. Shearson. (Honohan, Michael) FILED IN ERROR, Refiled as document <u>68</u> . Modified on 7/2/2007 (C, Br). (Entered: 06/29/2007)
06/29/2007	<u>67</u>	Brief filed by Julia A. Shearson. Related document(s) <u>66</u> . (Honohan, Michael) FILED IN ERROR. Modified on 7/2/2007 (C, Br). (Entered: 06/29/2007)
07/02/2007	<u>68</u>	Motion for Order to Compel Production of Supplemental Vaughn Index filed by Julia A. Shearson. (Attachments: # <u>1</u> Brief in Support)(Leopold, David) (Entered: 07/02/2007)
07/02/2007		Order [non-document]: Plaintiff's Motion for Extension of Time to Respond to Defendants' Motion for Leave to Submit for In Camera, Ex Parte Review and Supporting Memorandum is Granted. Approved by Judge Patricia A. Gaughan on 7/2/07. (Related Doc. <u>65</u>) (LC,S) (Entered: 07/02/2007)
07/02/2007	<u>69</u>	Motion for For Extension of Time In Which To Respond To Defendants' Motion for Leave to Submit For In Camera, Ex Parte Review the Unredacted Memorandum In Support of Defendants' Supplemental Motion For Summary Judgment and Unredacted Third Jacksta Declaration And For Order Requiring Defendants to Clarify Docket 60, Notice of Having Provided Documents For In Camera Review filed by Julia A. Shearson. Related document(s) <u>60</u> , <u>59</u> . (Attachments: # <u>1</u> Brief in Support)(Leopold, David) (Entered: 07/02/2007)
07/11/2007	<u>70</u>	Motion for extension of time filed by Julia A. Shearson. Related document(s) <u>58</u> . (Attachments: # <u>1</u> Brief in Support Motion for Extension of Time In Which to Respond to Defendants' Supplemental Motion for Summary Judgment)(Leopold,

		David) (Entered: 07/11/2007)
07/12/2007	<u>71</u>	Unopposed Motion for extension of time from July 19, 2007 until July 26, 2007 to respond to the July 2 motion to compel production of supplemental Vaughn index filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>68</u> . (Olson, Lisa) Modified text on 7/16/2007 (B, B). (Entered: 07/12/2007)
07/16/2007		Order [non-document]: Plaintiff's Motion for For Extension of Time In Which To Respond To Defendants' Motion for Leave to Submit For In Camera, Ex Parte Review the Unredacted Memorandum In Support of Defendants' Supplemental Motion For Summary Judgment and Unredacted Third Jacksta Declaration And For Order Requiring Defendants to Clarify Docket 60, Notice of Having Provided Documents For In Camera Review is granted. Defendant must clarify docket 60. Approved by Judge Patricia A. Gaughan on 7/13/07. (Related Doc # <u>69</u>) (LC,S) (Entered: 07/16/2007)
07/16/2007		Order [non-document]: Plaintiff's Motion for Extension of Time In Which to Respond to Defendants' Supplemental Motion for Summary Judgment is granted. Approved by Judge Patricia A. Gaughan on 7/13/07. (Related Doc. <u>70</u>) (LC,S) (Entered: 07/16/2007)
07/16/2007		Order [non-document]: Defendants' Unopposed Motion for Extension of Time to Respond to July 2 Motion to Compel Production of Supplemental Vaughn Index is granted. Approved by Judge Patricia A. Gaughan on 7/13/07.(Related Doc. <u>71</u>) (LC,S) (Entered: 07/16/2007)
07/20/2007	<u>72</u>	Motion for extension of time filed by Julia A. Shearson. Related document(s) <u>56</u> , <u>68</u> . (Attachments: # <u>1</u> Brief in Support Memorandum in Support of Plaintiff's Motion for Extension of Time in Which to Respond to Defendants' Motion for Reconsideration and Amended Memorandum in Support of Motion for Reconsideration Refiled Pursuant to June 1, 2007 Memorandum of Opinion and Order)(Leopold, David) (Entered: 07/20/2007)
07/24/2007	<u>73</u>	Opposition to <u>68</u> Motion for Order to Compel Production of Supplemental Vaughn Index filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Fourth Declaration of Robert Jacksta)(Olson, Lisa) (Entered: 07/24/2007)
07/24/2007	<u>74</u>	Response to <u>69</u> Motion for For Extension of Time In Which To Respond To Defendants' Motion for Leave to Submit For In Camera, Ex Parte Review the Unredacted Memorandum In Support of Defendants' Supplemental Motion For Summary Judgment and Unredacted T <i>Clarification of Docket 60</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 07/24/2007)
07/25/2007	<u>75</u>	Second Notice of Having Provided Unredacted Documents for In Camera, Ex Parte Inspection by the Court filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>73</u> .(Olson, Lisa) (Entered: 07/25/2007)
07/27/2007	<u>76</u>	Motion for Order Barring Defendants From Providing Pleadings And Documents For In Camera, Ex Parte Review Without Prior Authoriztion Of The Court filed by Julia A. Shearson. (Leopold, David) (Entered: 07/27/2007)
07/31/2007	<u>77</u>	Reply in support of <u>68</u> Motion for Order to Compel Production of Supplemental Vaughn Index filed by Julia A. Shearson. (Leopold, David) (Entered: 07/31/2007)
08/01/2007	<u>78</u>	Memorandum In Opposition To Defendants' Motion For Leave To Submit The Redacted Portion Of Defendants' Brief In Opposition To Motion To Compel Vaughn Index For In Camera, Ex Parte Review filed by Julia A. Shearson. Related document(s) <u>73</u> . (Leopold, David) (Entered: 08/01/2007)
08/01/2007	<u>79</u>	Response to <u>76</u> Motion for Order Barring Defendants From Providing Pleadings And Documents For In Camera, Ex Parte Review Without Prior Authoriztion Of The Court filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 08/01/2007)

08/02/2007	<u>80</u>	Plaintiff's Reply To Defendants' Opposition To Motion For Order Barring Defendants' From Providing Pleadings And Documents for In Camera, Ex Parte Review Without Prior Authorization Of The Court filed by Julia A. Shearson. Related document(s) <u>79</u> , <u>76</u> . (Leopold, David) (Entered: 08/02/2007)
08/06/2007	<u>81</u>	Motion to withdraw as attorney filed by Julia A. Shearson. (Honohan, Michael) (Entered: 08/06/2007)
08/07/2007	<u>83</u>	Marginal Entry Order granting Motion to withdraw as attorney, attorney Jeffrey M. Gamso and Michael T. Honohan removed from case. (Related Doc # <u>81</u>). Signed by Judge Patricia A. Gaughan on 8/7/07.(E,P) (Entered: 08/10/2007)
08/08/2007	<u>82</u>	Marginal Entry Order granting <u>72</u> Motion of plaintiff for Extension of Time in which to respond to defendants' motion for reconsideration and amended memorandum in support of motion for reconsideration. Signed by Judge Patricia A. Gaughan on 8/8/07.(E,P) (Entered: 08/10/2007)
08/14/2007	<u>84</u>	Motion for leave to file <i>Supplemental Memorandum in Support of Motion to Compel Supplemental Vaughn Index</i> filed by Julia A. Shearson. Related document(s) <u>68</u> . (Leopold, David) (Entered: 08/14/2007)
09/05/2007		Order [non-document]: Plaintiff's Motion for leave to file Supplemental Memorandum in Support of Motion to Compel Supplemental Vaughn Index is granted. Approved by Judge Patricia A. Gaughan on 9/5/07. (Related Doc # <u>84</u>)(LC,S) (Entered: 09/05/2007)
09/05/2007	<u>85</u>	Supplemental Memorandum In Support of <u>68</u> Motion for Order to Compel Production of Supplemental Vaughn Index filed by Julia A. Shearson. (Attachments: # <u>1</u> Exhibit Revised System of Records Notice# <u>2</u> Exhibit Updated Privacy Impact Assessment)(Leopold, David) (Entered: 09/05/2007)
09/18/2007	<u>86</u>	Order : Plaintiff's Motion to Compel Production of Supplemental Vaughan Index is GRANTED. The government must produce an index in substantially the same form as the one it produced previously in this matter. The index must be served within 14 days of the issuance of this Order. Signed by Judge Patricia A. Gaughan on 9/18/07. (Related Doc # <u>68</u>)(LC,S) (Entered: 09/18/2007)
09/24/2007	<u>87</u>	Minutes/Order : Plaintiff's Motion for Order Barring Defendants From Providing Pleadings and Documents for In Camera, Ex Parte Review Without Prior Authorization of the Court (Doc. <u>76</u>) is GRANTED. For procedural and docket clarification purposes, defendants must file a motion for leave for ex parte in camera review before providing the Court with the documents for which review is sought. To the extent the Court grants the motion, defendants may then provide the Court with the documents at which point the Court will determine whether they were properly submitted in camera and ex parte. Signed by Judge Patricia A. Gaughan on 9/21/07. (LC,S) (Entered: 09/24/2007)
10/02/2007	<u>88</u>	Notice of Service of <i>Supplemental Vaughn Index</i> filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>86</u> .(Olson, Lisa) (Entered: 10/02/2007)
10/04/2007	<u>89</u>	Opposition to <u>59</u> Motion for Leave to Submit for In Camera, Ex Parte Review the Unredacted Memorandum in Support of Defendants' Supplemental Motion for Summary Judgment and Unredacted Third Jacksta Declaration filed by Julia A. Shearson. (Leopold, David) (Entered: 10/04/2007)
10/11/2007	<u>90</u>	Motion to enforce order granting motion to compel supplemental vaughn index and for legal fees and costs filed by Julia A. Shearson. Related document(s) <u>88</u> , <u>86</u> . (Attachments: # <u>1</u> Brief in Support Memorandum in Support of Objection to Supplemental Vaughn Index and Motion to Enforce Order Granting Motion to Compel Supplemental Vaughn Index and For Legal Fees and Costs)(Leopold, David) (Entered: 10/11/2007)
10/17/2007	<u>91</u>	Motion for Return of Confidential Government Materials filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 10/17/2007)

10/18/2007	<u>92</u>	Notice of Newly Identified Document filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 10/18/2007)
10/19/2007	<u>93</u>	Opposition to Objections and <u>90 Motion</u> to enforce <i>order granting motion to compel supplemental vaughn index and for legal fees and costs</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) Modified wording of text on 10/22/2007 (C, Br). (Entered: 10/19/2007)
10/29/2007	<u>94</u>	Motion for reconsideration <i>Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect To Adequacy Of The Search</i> filed by Julia A. Shearson. Related document(s) <u>92</u> , <u>32</u> . (Attachments: # <u>1</u> Brief in Support Memorandum In Support Of Plaintiffs Motion For Reconsideration Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect To Adequacy Of The Search# <u>2</u> Exhibit Plaintiff's FOIA/Privacy Act Request)(Leopold, David) (Entered: 10/29/2007)
10/31/2007	<u>95</u>	Second Motion for extension of time to Respond To Defendants' Supplemental Motion For Summary Judgment filed by Julia A. Shearson. (Leopold, David) (Entered: 10/31/2007)
10/31/2007	<u>96</u>	Second Motion for extension of time to Respond To Defendants' Motion For Reconsideration And Amended Memorandum In Support Of Motion For Reconsideration Refiled Pursuant To June 1, 2007 Memorandum Of Opinion And Order filed by Julia A. Shearson. (Leopold, David) (Entered: 10/31/2007)
10/31/2007	<u>97</u>	Reply in support of <u>90 Motion</u> to enforce <i>order granting motion to compel supplemental vaughn index and for legal fees and costs</i> filed by Julia A. Shearson. (Leopold, David) (Entered: 10/31/2007)
11/05/2007	<u>98</u>	Order : Defendant's Motion for Leave to Submit for In Camera, Ex Parte Review the Unredacted Memorandum in Support of their Supplemental Motion for Summary Judgment and Unredacted Third Jacksta Declaration is DENIED. Signed by Judge Patricia A. Gaughan on 11/5/07. (Related Doc # <u>59</u>) (LC,S) (Entered: 11/05/2007)
11/05/2007	<u>99</u>	Order : Plaintiff's Motion to Enforce Order Granting Motion to Compel Supplemental Vaughn Index and for Legal Fees and Costs is DENIED. Plaintiff's motions for extension of time are GRANTED in PART. Briefs in opposition to Defendants' Motion for Reconsideration and Supplemental Motion for Summary Judgment are due on or before November 30, 2007. Signed by Judge Patricia A. Gaughan on 11/5/07. (Related Docs # <u>90</u> , <u>95</u> , <u>96</u>) (LC,S) (Entered: 11/05/2007)
11/05/2007	<u>100</u>	Opposition to <u>91 Motion</u> for Return of Confidential Government Materials filed by Julia A. Shearson. (Leopold, David) (Entered: 11/05/2007)
11/08/2007	<u>101</u>	Reply in support of <u>91 Motion</u> for Return of Confidential Government Materials filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 11/08/2007)
11/09/2007		Order [non-document]: Defendants' Motion for Return of Confidential Government Materials is GRANTED. Approved by Judge Patricia A. Gaughan on 11/9/07. (Related Doc # <u>91</u>) (LC,S) (Entered: 11/09/2007)
11/14/2007	<u>102</u>	Motion for extension of to Respond to Motion for Reconsideration Regarding Adequcy of Search until November 29, 2007 filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>94</u> . (Olson, Lisa) (Entered: 11/14/2007)
11/15/2007		Order [non-document]: Defendants' Motion for Extension of Time to Respond to Motion for Reconsideration Regarding Adequacy of Search is granted to November 29, 2007. Approved by Judge Patricia A. Gaughan on 11/15/07. (Related Doc. <u>102</u>)(LC,S) (Entered: 11/15/2007)
11/29/2007	<u>103</u>	Opposition to <u>94 Motion</u> for reconsideration <i>Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect To Adequacy Of The Search</i> filed by United States Department of Homeland Security, US Customs and Border

		Protection. (Attachments: # <u>1</u> Exhibit)(Olson, Lisa) (Entered: 11/29/2007)
11/30/2007	<u>104</u>	Opposition to <u>58</u> Supplemental Motion for summary judgment filed by Julia A. Shearson. (Leopold, David) (Entered: 11/30/2007)
11/30/2007	<u>105</u>	Opposition to <u>53</u> Memorandum in Support of Amended Motion for Reconsideration <u>56</u> filed by Julia A. Shearson. (Leopold, David) Modified text/added link 11/30/2007 (C,KA). (Entered: 11/30/2007)
12/14/2007	<u>106</u>	Motion for extension of to File Reply Briefs until January 18, 2008 filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 12/14/2007)
12/17/2007	<u>107</u>	Motion for extension of Reply to Defendants Opposition To Motion For Reconsideration Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect to Adequacy Of The Search until December 31, 2007 filed by Plaintiff Julia A. Shearson. Related document(s) <u>94</u> , <u>103</u> . (Leopold, David) (Entered: 12/17/2007)
12/17/2007		Order [non-document]: Defendants' Motion for Extension of Time to File Reply Briefs is granted to 1/18/08. Approved by Judge Patricia A. Gaughan on 12/17/07. (Related Doc. <u>106</u>) (LC,S) (Entered: 12/17/2007)
12/17/2007		Order [non-document]: Plaintiff's Motion for extension of Time in Which to Respond to Defendants' Opposition To Motion For Reconsideration Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect to Adequacy Of The Search is granted to 12/31/07. Approved by Judge Patricia A. Gaughan on 12/17/07. re <u>107</u> (LC,S) (Entered: 12/17/2007)
12/31/2007	<u>108</u>	Reply to response to <u>94</u> Motion for reconsideration <i>Of The March 7, 2007 Order Granting Summary Judgment To CBP With Respect To Adequacy Of The Search</i> filed by Julia A. Shearson. (Leopold, David) (Entered: 12/31/2007)
01/15/2008	<u>109</u>	Motion for extension of time until February 19, 2008, to file Reply Briefs filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 01/15/2008)
01/16/2008		Order [non-document]: Defendants' Motion for Extension of Time to File Reply Briefs is granted to 2/19/08. Signed by Judge Patricia A. Gaughan on 1/15/08. (LC,S) <u>109</u> (Entered: 01/16/2008)
02/05/2008	<u>110</u>	Unopposed Motion for extension of to File Reply Briefs until March 20, 2008 filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 02/05/2008)
02/07/2008		Order [non-document]: Defendants' Unopposed Motion for Further Extension of Time to file Reply Briefs is granted to 3/20/08. There will be no further extensions. <u>110</u> Approved by Judge Patricia A. Gaughan on 2/6/08.(LC,S) (Entered: 02/07/2008)
03/20/2008	<u>111</u>	Reply to response to <u>56</u> Amended Motion for reconsideration <i>Memorandum in Support of Amended Motion for Reconsideration, Refiled Pursuant to June 1, 2007 Memorandum of Opinion adn Order</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Declaration of Mark Hanson, # <u>2</u> Exhibit Supplemental Declaration of Catherine M. Papoi)(Olson, Lisa) (Entered: 03/20/2008)
03/20/2008	<u>112</u>	Reply to response to <u>58</u> Supplemental Motion for summary judgment filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Second Declaration of Mark Hanson)(Olson, Lisa) (Entered: 03/20/2008)
03/21/2008	<u>113</u>	<i>Notice to Terminate Representation of Counsel</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Laisure, Lori) (Entered: 03/21/2008)
03/31/2008		Order [non-document]: Plaintiff's Motion for leave to file document #55 instanter: Request for status conference is MOOT. Approved by Judge Patricia A. Gaughan on 3/31/08. (Related Doc # <u>57</u>) (LC,S) (Entered: 03/31/2008)

04/01/2008	<u>114</u>	Motion for leave to <i>File Response To Defendants Reply In Support Of Amended Motion For Reconsideration, Refiled Pursuant To June 1, 2007 Memorandum Of Opinion And Order</i> filed by Plaintiff Julia A. Shearson. Related document(s) <u>111</u> . (Leopold, David) (Entered: 04/01/2008)
04/01/2008	<u>115</u>	Motion for leave to <i>file Response To Defendants Reply In Support Of Supplemental Motion For Summary Judgment</i> filed by Plaintiff Julia A. Shearson. Related document(s) <u>112</u> . (Leopold, David) (Entered: 04/01/2008)
04/04/2008	<u>116</u>	Memorandum Opinion and Order: Plaintiff's Motion for Reconsideration is GRANTED and Defendants' Motion for Reconsideration and Supplemental Motion for Summary Judgment are DENIED. Signed by Judge Patricia A. Gaughan on 4/3/08. re <u>94</u> , <u>39</u> , <u>58</u> . (LC,S) (Entered: 04/04/2008)
04/04/2008		Order [non-document]: Plaintiff's Motion for leave to File Response To Defendants' Reply In Support Of Amended Motion For Reconsideration, Refiled Pursuant To June 1, 2007 Memorandum Of Opinion And Order is MOOT. Approved by Judge Patricia A. Gaughan on 4/3/08. (Related Doc # <u>114</u>) (LC,S) (Entered: 04/04/2008)
04/04/2008		Order [non-document]: Plaintiff's Motion for leave to file Response To Defendants Reply In Support Of Supplemental Motion For Summary Judgment is MOOT. Approved by Judge Patricia A. Gaughan on 4/3/08. (Related Doc # <u>115</u>) (LC,S) (Entered: 04/04/2008)
04/08/2008	<u>117</u>	Motion for Status Conference filed by Plaintiff Julia A. Shearson. Related document(s) <u>116</u> . (Leopold, David) (Entered: 04/08/2008)
04/09/2008	<u>118</u>	Supplemental Brief <i>In Support of Motion For Status Conference</i> filed by Julia A. Shearson. Related document(s) <u>117</u> , <u>116</u> . (Leopold, David) (Entered: 04/09/2008)
04/09/2008	<u>119</u>	<i>Notice of Substitution of Counsel</i> filed by Julia A. Shearson. (Leopold, David) (Entered: 04/09/2008)
04/09/2008	<u>120</u>	Response to <u>117</u> Motion for Status Conference <i>Regarding Clarification of April 4, 2008 Order</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 04/09/2008)
04/11/2008	<u>121</u>	Order: This matter is before the Court upon Plaintiff's Motion for Status Conference (Doc. <u>117</u>). The motion will be treated as a motion for clarification. The motion is GRANTED. Signed by Judge Patricia A. Gaughan on 4/11/08. (Related Doc # <u>117</u>) (LC,S) (Entered: 04/11/2008)
05/01/2008	<u>122</u>	Unopposed Motion for extension of May 5, 2008 filed by Plaintiff Julia A. Shearson. Related document(s) <u>116</u> . (Leopold, David) (Entered: 05/01/2008)
05/02/2008		Order [non-document]: Plaintiff's Unopposed Motion for Extension of Time until June 6, 2008 in which to file Merit Brief is granted. Approved by Judge Patricia A. Gaughan on 5/2/08. (LC,S) <u>122</u> (Entered: 05/02/2008)
06/05/2008	<u>123</u>	Motion for leave <i>To Exceed Page Limitation Set Forth In Local Rule 7.1(f)</i> filed by Plaintiff Julia A. Shearson. (Leopold, David) (Entered: 06/05/2008)
06/06/2008		Order[non-document] : Plaintiff's motion to exceed page limitation regarding merit brief is GRANTED. (Related Doc # <u>123</u>)Approved by Judge Patricia A. Gaughan on 6/06/08.(D,MB) (Entered: 06/06/2008)
06/06/2008	<u>124</u>	Motion for Order Compelling Production Of Documents Listed In The Supplemental Vaughn Index And For Order Requiring DHS/CBP To Conduct An Adequate Search Of Responsive Systems Of Records And To Refer Plaintiffs Request To The Agency/ies Controlling Responsive Records And Issue An Order That Plaintiff May Seek Redress Under The Privacy Act filed by Plaintiff Julia A. Shearson. Related document(s) <u>121</u> , <u>116</u> . (Attachments: # <u>1</u> Brief in Support)(Leopold, David) (Entered: 06/06/2008)
06/06/2008	<u>125</u>	Motion for Order Granting Leave To File Exhibits Under Seal filed by Plaintiff Julia A. Shearson. Related document(s) <u>124</u> . (Leopold, David) (Entered: 06/06/2008)

06/06/2008	<u>126</u>	Motion for Order Lifting Redactions On Document 3 Of The Vaughn Index; Request For In Camera Review Of TECS Records Attached To Dockets 103-2 And 92 And Request For Order Disclosing Any Non-Exempt Portions filed by Plaintiff Julia A. Shearson. Related document(s) <u>92</u> , <u>103</u> . (Leopold, David) (Entered: 06/06/2008)
06/09/2008		Order [non-document]: Plaintiff's Motion for Leave to File Exhibits Under Seal is Granted. Judge Patricia A. Gaughan on 6/9/08. (Related Doc # <u>125</u>) (LC,S) (Entered: 06/09/2008)
06/11/2008	127	Exhibit(s) A, B to plaintiff's Merit Brief filed by Julia A. Shearson. Related document(s) <u>124</u> . (FILED UNDER SEAL)(E,P) (Entered: 06/11/2008)
06/11/2008	<u>128</u>	Notice of filing Exhibits A, B to Merit Brief (Doc. 124-2) on 6/11/08 filed by Julia A. Shearson. (E,P) (Entered: 06/11/2008)
07/07/2008	<u>129</u>	Motion to dismiss case filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>124</u> . (Olson, Lisa) (Entered: 07/07/2008)
07/07/2008	<u>130</u>	<i>Brief in Support of Defendants' Motion to Dismiss, and in Opposition to Plaintiff's Motion to Compel Production, for Order Regarding Adequate Search, to Refer to Agency/ies, and for Order Under Privacy Act</i> filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>124</u> , <u>129</u> . (Attachments: # <u>1</u> Exhibit Fifth Declaration of Robert M. Jacksta, # <u>2</u> Exhibit Declaration of Vania T. Lockett) (Olson, Lisa) (Entered: 07/07/2008)
07/07/2008	<u>131</u>	Opposition to <u>126 Motion</u> for Order Lifting Redactions On Document 3 Of The Vaughn Index; Request For In Camera Review Of TECS Records Attached To Dockets 103-2 And 92 And Request For Order Disclosing Any Non-Exempt Portions filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Declaration of John Madsen, # <u>2</u> Exhibit Document #3 of Four Documents Provided to Plaintiff on April 18, 2008 (to be filed under seal))(Olson, Lisa) (Entered: 07/07/2008)
07/07/2008	<u>132</u>	Motion to seal <i>Exhibit #2 to Protect Plaintiff's Privacy Act Information</i> filed by United States Department of Homeland Security, US Customs and Border Protection. Related document(s) <u>131</u> . (Olson, Lisa) (Entered: 07/07/2008)
08/03/2008	<u>133</u>	Motion to seal <i>Plaintiff's Opposition to Defendants' Motion to Dismiss</i> filed by Plaintiff Julia A. Shearson. Related document(s) <u>130</u> , <u>129</u> . (Leopold, David) (Entered: 08/03/2008)
08/06/2008		Order[non-document] : Plaintiff's motion for leave to file memorandum in opposition to defendants' motion to dismiss under seal is GRANTED. <u>133</u> Approved by Judge Patricia A. Gaughan on 8/06/08.(D,MB) (Entered: 08/06/2008)
08/07/2008	134	Memorandum in Opposition to <u>129 Motion</u> to dismiss case and alternative motion to amend complaint filed by Julia A. Shearson. (FILED UNDER SEAL) (E,P) (Entered: 08/07/2008)
08/12/2008	<u>135</u>	Reply to response to <u>129 Motion to dismiss case filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 08/12/2008)</u>
08/26/2008	<u>136</u>	Motion for leave <i>To File Sur-Response To Defendants Reply In Support Of Defendants Motion To Dismiss</i> filed by Plaintiff Julia A. Shearson. Related document(s) <u>135</u> . (Leopold, David) (Entered: 08/26/2008)
08/28/2008	<u>137</u>	Opposition to <u>136 Motion</u> for leave <i>To File Sur-Response To Defendants Reply In Support Of Defendants Motion To Dismiss</i> filed by United States Department of Homeland Security, US Customs and Border Protection. (Olson, Lisa) (Entered: 08/28/2008)
09/11/2008		Order [non-document]: Plaintiff's Motion for Leave to File Sur-Response To Defendants' Reply In Support Of Defendants' Motion To Dismiss is DENIED. No new issues of factor or law are raised in the Reply Brief to warrant a Sur-reply. Judge Patricia A. Gaughan on 9/10/08. (LC,S) (Related Doc # <u>136</u>) (Entered: 09/11/2008)

09/12/2008		Order [non-document]: Defendants' Motion and Memorandum to File Exhibit Under Seal to Protect Plaintiff's Privacy Act Information is Granted. Judge Patricia A. Gaughan on 9/12/08. (Related Doc # <u>132</u>) (LC,S) (Entered: 09/12/2008)
09/15/2008	<u>138</u>	Motion for Limited Discovery; And Motion For In Camera Review Of CBP Policy Directives 3340-021a, 3340-006a And Other Attached Policy Guidelines And Directives Related To Search Of Electronic Media filed by Plaintiff Julia A. Shearson. (Attachments: # <u>1</u> Brief in Support Of Motion For Limited Discovery; And Motion For In Camera Review Of CBP Policy Directives 3340-021a, 3340-006a And Other Attached Policy Guidelines And Directives Related To Search Of Electronic Media, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit (SEALED), # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit)(Leopold, David) Modified on 10/14/2008 (LC,S). (Entered: 09/15/2008)
09/18/2008	139	Exhibit 2 to Opposition to Plaintiff's motion to lift redactions and for in camera review (FILED UNDER SEAL) filed by all defendants. Related document(s) <u>131</u> . (C,B) (Entered: 09/19/2008)
09/18/2008	<u>140</u>	Notice of filing Exhibit 2 Under Seal filed by all defendants. Related document(s) <u>131</u> , 139 .(C,B) (Entered: 09/19/2008)
09/23/2008	<u>141</u>	Motion to seal <i>Doc. 138-9, Exhibit 8 To Doc. 138-2</i> filed by Plaintiff Julia A. Shearson. Related document(s) <u>138</u> . (Leopold, David) (Entered: 09/23/2008)
09/29/2008	<u>142</u>	Opposition to 138 Motion for Limited Discovery; And Motion For In Camera Review Of CBP Policy Directives 3340-021a, 3340-006a And Other Attached Policy Guidelines And Directives Related To Search Of Electronic Media filed by United States Department of Homeland Security, US Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Declaration of Laurence Castelli, # <u>2</u> Exhibit Declaration of Michael D. Bunker)(Olson, Lisa) (Entered: 09/29/2008)
10/09/2008	<u>143</u>	Reply to response to <u>138 Motion for Limited Discovery; And Motion For In Camera Review Of CBP Policy Directives 3340-021a, 3340-006a And Other Attached Policy Guidelines And Directives Related To Search Of Electronic Media filed by Julia A. Shearson. (Leopold, David) (Entered: 10/09/2008)</u>
10/12/2008	<u>144</u>	Order : Plaintiff's Motion for Order to Lift Redactions on Document 3 of the Vaughn Index; Request for In Camera Review of TECS Records Attached to Dockets 103-2 and 92 and Request for Order Disclosing any Non-Exempt Portions (Doc. <u>126</u>) is DENIED. Judge Patricia A. Gaughan on 10/10/08. (LC,S) (Entered: 10/12/2008)
10/12/2008	<u>145</u>	Order : Plaintiff's Notice of Newly Discovered Material Evidence; Motion for Limited Discovery; and Motion for In Camera Review of CBP Polciy Directives 3340-021A, 3340-006A and Other Attached Policy Guidelines and Directives Related to Search of Electronic Media (Doc. <u>138</u>) is DENIED. Judge Patricia A. Gaughan on 10/10/08. (LC,S) (Entered: 10/12/2008)
10/12/2008		Order [non-document]: Plaintiff's Motion Instantner to Seal Doc. 138-9, Exhibit 8 to Doc. 138-2 is GRANTED. Judge Patricia A. Gaughan on 10/10/08. (LC,S) (Related Docs # [<u>141</u> , <u>138</u>]) (Entered: 10/12/2008)
10/12/2008	<u>146</u>	Memorandum Opinion and Order : Plaintiff's Motion to Compel Production of Documents Listed in the Supplemental Vaughn Index and for Order Requiring DHS/CBP to Conduct an Adequate Search of Responsive Systems of Records and to Refer Plaintiff's Request to the Agencies Controlling Responsive Records and Issue an Order That Plaintiff May Seek Redress Under the Privacy Act is DENIED. Defendants' Motion to Dismiss is GRANTED in PART. To the extent plaintiff seeks disclosure of documents under FOIA, the claim is DISMISSED. With regard to the adequacy of the search claim and any Privacy Act claim asserted against defendant DHS, judgment in favor of defendants is warranted. Plaintiff's request for an order permitting her to seek redress under the Privacy Act is DENIED. Judge Patricia A. Gaughan on 10/10/08. (LC,S) (Related Docs. <u>124</u> , <u>126</u>) (Entered: 10/12/2008)
10/12/2008	<u>147</u>	Judgment Entry : This Court, having granted summary judgment in favor of defendants with regard to plaintiff's Privacy Act/improper dissemination claims,

		hereby enters judgment in favor of defendants and against plaintiff on those claims. In addition, judgment is entered in favor of defendants with regard to the adequacy of the search claim asserted under FOIA. The remaining aspects of the FOIA claim are dismissed. Judge Patricia A. Gaughan on 10/10/08. (LC,S) re <u>146</u> (Entered: 10/12/2008)
11/12/2008	<u>148</u>	NOTICE OF APPEAL to the 6th Circuit Court of Appeals from the <u>146</u> Memorandum Opinion and Order and <u>147</u> Judgment Entry of 10/12/08, filed by Julia A. Shearson. (Filing fee of \$455.00 received, receipt number 14660024652) (H, SP) (Entered: 11/13/2008)
11/21/2008	<u>149</u>	Acknowledgment from the USCA for Sixth Circuit of receipt of <u>148</u> Notice of Appeal (USCA# 08-4582). Date filed in USCA 11/20/08. (H, SP) (Entered: 11/21/2008)
09/14/2010	<u>150</u>	Appeal Remark from USCA for the Sixth Circuit: Michael J. Newman has been appointed to represent appellant on a pro bono basis re <u>148</u> Notice of Appeal (USCA# 08-4582) (H,SP) (Entered: 09/14/2010)
04/21/2011	<u>151</u>	Information copy of opinion from the USCA for the Sixth Circuit: The District Court's judgment is affirmed in part and vacated in part, and the case is remanded for further proceedings consistent with this opinion re <u>148</u> Notice of Appeal (USCA# 08-4582). This is not a mandate order. Circuit Judges: Gibbons and White, Chief District Judge: Maloney. Date issued by USCA 4/21/11 (Attachments: # <u>1</u> Judgment) (H,SP) (Entered: 04/21/2011)
06/17/2011	<u>152</u>	Order: This matter is before the Court upon remand from the Sixth Circuit, as the government did not appeal the Sixth Circuit's ruling. The government is hereby ORDERED to provide the Court and plaintiff with a status report addressing whether discovery is necessary to resolve the Privacy Act claim or whether the government acknowledges that relief is warranted on the facts of this case. The status report must be filed on or before June 23, 2011. Judge Patricia A. Gaughan on 6/17/11. (LC,S) (Entered: 06/17/2011)
06/22/2011	<u>153</u>	True copy of mandate from the USCA for the Sixth Circuit: The judgment of the District Court is affirmed in part, vacated in part, and the case is remanded for further proceedings re <u>148</u> Notice of Appeal (USCA# 08-4582). Date issued as mandate 6/14/11, Costs: None (Related document <u>151</u>) (H,SP) (Entered: 06/22/2011)
06/22/2011	<u>154</u>	Status Report filed by US Customs and Border Protection, United States Department of Homeland Security. Related document(s) <u>152</u> .(Olson, Lisa) (Entered: 06/22/2011)
07/28/2011	<u>155</u>	Attorney Appearance by Kurt R. Hunt <i>and Alan H. Abes</i> filed by on behalf of Julia A. Shearson. (Hunt, Kurt) (Entered: 07/28/2011)
09/14/2011	<u>156</u>	Motion to dismiss for failure to state a claim filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Brief in Support Memorandum in Support of Defendants' Motion to Dismiss Remaining Privacy Act Claims, # <u>2</u> Exhibit Shearson v. Holder, slip opinion, # <u>3</u> Proposed Order)(Olson, Lisa) (Entered: 09/14/2011)
10/17/2011	<u>157</u>	Opposition to <u>156 Motion to dismiss for failure to state a claim filed by Julia A. Shearson. (Hunt, Kurt) (Entered: 10/17/2011)</u>
10/28/2011	<u>158</u>	Reply to response to <u>156 Motion to dismiss for failure to state a claim filed by US Customs and Border Protection, United States Department of Homeland Security. (Olson, Lisa) (Entered: 10/28/2011)</u>
02/06/2012	<u>159</u>	Memorandum Opinion and Order: Defendants' Motion to Dismiss Remaining Privacy Act Claims (Doc. <u>156</u>) is DENIED. Judge Patricia A. Gaughan on 2/6/12. (LC,S) (Entered: 02/07/2012)
02/06/2012		Order [non-document]: Telephonic Status Conference is set 3/20/12 at 9:00 a.m. The parties must file a joint status report three days prior to the conference with a recommended discovery schedule. Judge Patricia A. Gaughan on 2/6/12. (LC,S) (Entered: 02/07/2012)

03/13/2012	<u>160</u>	Joint status report and motion for extension of to Submit Recommended Discovery Schedule until April 16, 2012 filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) Modified text on 3/14/2012 (K,V). (Entered: 03/13/2012)
03/14/2012		Order [non-document]: Joint Motion to Extend Time to Submit Recommended Discovery Schedule is Granted to 4/16/12. Telephonic Status Conference of 3/20/12 is continued to 4/18/12 at 9:15 a.m. Judge Patricia A. Gaughan on 3/13/12. (LC,S) re <u>160</u> (Entered: 03/15/2012)
04/16/2012	<u>161</u>	Joint Motion for extension of April 16, 2012 until May 16, 2012 filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) (Entered: 04/16/2012)
04/17/2012		Order [non-document]: Second Joint Motion to Extend Time to Submit Recommended Discovery Schedule is Granted to 5/16/12. Telephonic Status Conference of 4/18/12 is continued to 5/18/12 at 10:00 a.m. Judge Patricia A. Gaughan on 4/17/12. (LC,S) re <u>161</u> (Entered: 04/17/2012)
05/17/2012	<u>162</u>	Joint Motion for extension of File Discovery Schedule until June 29, 2012 filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) (Entered: 05/17/2012)
05/17/2012	<u>163</u>	Joint Motion for extension of File Proposed Discovery Schedule until June 29, 2012 filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) (Entered: 05/17/2012)
05/17/2012		Order [non-document]: Third Joint Motion to Extend Time Nunc Pro Tunc to Submit Recommended Discovery Schedule is Granted to 6/27/12. Telephonic Status Conference of 5/18/12 is continued to 6/29/12 at 10:00 a.m. Judge Patricia A. Gaughan on 5/17/12. (LC,S) re <u>163</u> (Entered: 05/17/2012)
06/26/2012	<u>164</u>	Joint Motion for extension of June 27, 2012 until August 10, 2012 filed by US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) (Entered: 06/26/2012)
06/26/2012		Order [non-document]: Fourth Joint Motion to Extend Time to Submit Recommended Discovery Schedule is Granted to 8/10/12. Telephonic Status Conference is set 8/15/2012 at 9:00 a.m. Judge Patricia A. Gaughan on 6/26/12. (LC,S) re <u>164</u> (Entered: 06/27/2012)
08/09/2012	<u>165</u>	Fifth Joint Motion for a 32 day extension of time to Submit Recommended Discovery Schedule until September 10, 2012 filed by Plaintiff Julia A. Shearson, US Customs and Border Protection, United States Department of Homeland Security. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) Modified text on 8/10/2012 (B,B). (Entered: 08/09/2012)
08/10/2012		Order [non-document]: Based upon the oral representations of counsel, Fifth Joint Motion to Extend Time to Submit Recommended Discovery Schedule is Granted. Telephone Status Conference is continued to 9/17/12 at 9:00 a.m. Judge Patricia A. Gaughan on 8/10/12. (LC,S) re <u>165</u> (Entered: 08/10/2012)
09/10/2012	<u>166</u>	Joint Status Report <i>and Proposed Discovery Schedule</i> filed by All Parties. (Hunt, Kurt) (Entered: 09/10/2012)
09/17/2012		Minutes of proceedings [non-document] Status Conference was held. Settlement Conference is set 9/27/2012 at 09:30 AM in Chambers 19B before Judge Patricia A. Gaughan. Approved by Judge Patricia Gaughan on 9/17/12. Time: 30 MINS. (D,MB) (Entered: 09/17/2012)
09/27/2012		Minutes/Order [non-document]: Settlement Conference was held. Telephonic Status Conference is set 11/27/12 at 9:00 a.m. Judge Patricia A. Gaughan on 9/27/12. (LC,S) Time: 6.5 hrs. (Entered: 09/28/2012)
11/27/2012		Minute/Order [non-document]: Telephonic Status Conference was held. Telephonic Status Conference is set 1/23/13 at 9:00 a.m. Judge Patricia A. Gaughan on 11/27/12. (LC,S) Time: 45 mins. (Entered: 11/28/2012)

01/23/2013		Minutes of proceedings [non-document] Telephone Conference was held. The Court anticipates a dismissal entry on or before 3/23/13. Judge Patricia A. Gaughan 1/23/13. Time: 3.5 hrs.. (D,Ma) (Entered: 01/23/2013)
01/23/2013	<u>167</u>	Minutes/Order In anticipation of a signed settlement agreement and pursuant to paragraph three on page two and paragraph one on page three of the Second Confidential Joint Settlement Status Report, attorneys Olson and Shapiro provided this Court with the required ex parte explanation. Based upon that communication, the Court is satisfied that there are no issues that need to be addressed. Judge Patricia A. Gaughan on 1/23/13. (D,Ma) Modified text on 1/25/2013 (B,B). (Entered: 01/23/2013)
03/20/2013		Order [non-document]: At the request of the parties, oral motion for extension of time to submit the dismissal entry is granted to 4/23/13. Judge Patricia A. Gaughan on 3/20/13. (LC,S) (Entered: 03/20/2013)
04/19/2013	<u>168</u>	Joint Motion for extension of time until May 23, 2013 to file anticipated dismissal filed by US Customs and Border Protection, United States Department of Homeland Security, Julia A. Shearson. (Attachments: # <u>1</u> Proposed Order)(Olson, Lisa) Modified text on 4/22/2013 (B,B). (Entered: 04/19/2013)
04/22/2013		Order [non-document]: The Parties Joint Motion for Extension of Time to File Anticipated Dismissal is Granted to 5/23/13. Judge Patricia A. Gaughan on 4/22/13. (LC,S) re <u>168</u> (Entered: 04/22/2013)
05/23/2013		Minutes/Order [non-document]: Telephone Conference was held at the request of the parties. A Final Settlement Conference will be conducted by telephone on 6/28/13 at 9:00 a.m. A new date for a dismissal entry will be given at that time. Judge Patricia A. Gaughan on 5/23/13. (LC,S) Time: 30 mins. (Entered: 05/23/2013)
06/28/2013	<u>169</u>	Order: A final settlement conference was held during which the government orally provided answers to plaintiff's written questions. Pursuant to the settlement agreement, any objections to the adequacy of the responses are due on or before July 2, 2013. The government will provide its response to the objections on or before July 10, 2013. As agreed to by the parties, in the event the government invokes national security as a basis for declining to provide additional information, the Court will contact defendant on an ex parte basis and determine whether national security interests are implicated. Judge Patricia A. Gaughan on 6/28/13. (LC,S) Time: 1.5 hrs. (Entered: 06/28/2013)
07/18/2013	<u>170</u>	Joint Proposed Stipulation of Dismissal filed by Plaintiff. (Hunt, Kurt) Modified text on 7/18/2013 (B,B). (Entered: 07/18/2013)
07/18/2013	<u>171</u>	Order: Joint Stipulation of Dismissal With Prejudice is So Ordered. Judge Patricia A. Gaughan on 7/18/13. (LC,S) re <u>170</u> (Entered: 07/18/2013)